

PUBLIC HEARING -TOWN OF SHELBY

Meeting is live streamed. You may see complete meeting on the Town of Shelby website page.

Preliminary Budget 2024

November 14, 2023

6:00 PM

Present: Scott Wengewicz, Supervisor
Steve Seitz, Councilman
John Pratt, Councilman
Jeff Schiffer, Councilman
Darlene Rich, Town Clerk
Pam Henry, Deputy Clerk
Kathleen Bennett, Attorney
Claude Grimes, Constable
Dale Root- Highway Supt.
Miranda Bennett, Bookkeeper

Excused: Ed Zelazny, Councilman

Others	Michael Rich	Sharlene Pratt
	Leona Weese	Jada Burgess
	Halli Gray	Paul Henry
	Linda Limina	Alana Koneski
	Jim Heminway	Pat Eick
	James Zelazny	Jess Marciano
	Joy Waters	Lawrence Waters
	Bill Eick-Co. Leg	Kirk Myhill
	Julie Wolters	Andrea Walton
	Karen Jones	Robert Bracey
	Joanne Bracey	Alan Bushover
	Katy Owczarczak	Marguerite Sherman
	Brian Murray	John Parada

Public Hearing was called to order at 6:00 PM

Pledge to the Flag

Purpose of the Public Hearing- To hear comments for and against the 2024. Preliminary Budget.

Councilman Pratt asked about the insurance. Was it put out to bid? Can we compare different insurances. It would be less than by going with the one in Gasport. Miranda said it renewed in April. NYMIR is what the other towns use. It has better coverage.

Councilman Pratt asked about raise for Town Clerk and first deputy. Supervisor said that it was told to him by Jeff Smith the reason Darlene got the \$10,000 pay raise was given up the second deputy clerk taking that money and rolling it into Darlene's. That was part of the deal that was made to give her the raise funding how your guys got the funding for that. That why he did not budget for a second clerk. He budgeted for the town clerk and first deputy clerk because he was told the town clerk and deputy clerk do the job as they have the last year that they have had no problems doing their job so he did not budget for a second deputy part time clerk.

Public Comment-

James Zelazny-had a statement from Councilman Zelazny who couldn't make it. He requested one of the board members may be interested in reading it to the public.

Supervisor read the statement. November 14, 2023. Statement from Council person Ed Zelazny. Resolution to adopt the 2024 preliminary budget making it the final budget as a council person I must object to tonight's vote on the preliminary budget. It contradicts the transparency guidelines set by the New York State Comptroller Office. The full board and the public have not been granted proper access to the document as required. We need to check the changes from the tentative budget first before making the preliminary budget the final budget. For genuine transparency and informed decision making I propose we table this vote. The community deserve a level of openness and clarity about keeping things transparent. Tonight's vote should be post-poned so everyone involved, board members, and resident alike get a chance to examine the budget. Thank you. Ed Zelazny.

Karen Jones-said there is not public notice in the paper. Town clerk said there was a public notice in the paper for the public hearing on Nov. 9 however it was

too late to put it in the paper for tonight's meeting so it was put on the website and on the board. Miranda was putting it on the face book page.

Lawrence Waters-Wanted clarification on some of the items that took a considerable jump. Makes it hard to figure when it only goes to July of this year of money spent so far and why it doesn't go another quarter for comparison. Feels it should have gone through October. Engineer line showed a 50% decrease but through July we have only spent \$721 so just wondering why the big jump.

Supervisor said we have an ongoing new water district for Martin Road. We have an ongoing engineer contract and if it goes further for that little, they are doing was \$15,000 so if we ran into a project where we needed engineering, we would have the money. Assessor line jumped and we have just gone through the assessment phase. Why did that jump? We have a shared assessor with Ridgeway Yates and Shelby. Yates pulled out so our share went up. He also asked about the attorney line increasing. Supervisor said its because of the STAMP project, Borrego in the spring, Hemlock Ridge Road solar project. Each project is an hourly basis, there is not flat fee for land use attorney. Under central storeroom. What is that? Why budgeting so much. Miranda said storeroom is anything bought for the town- supplies like paper, ink cartridges, files. Traffic control -Dale said it is what they need to buy road cones, new signs, work zone etc. Did not get any quotes as there are limited places where you can buy these that are OSHA certified. Street lighting- buy changing to LED you save a considerable amount of money- feels that line should be reduced. He doesn't think it's fair to leave it where it is at 7500. It was the whole reason we had the project done. Outside village just a clarification of refuse and garbage. Is that what the town is charged for the towns refuse or garbage. What is that exactly. Supervisor said it is the dumpster.

Lawrence asked if it could be bumped down. Snow removal seems high although he understands the price of fuel and salt. Dale explained why he put that in. He said if they don't need it, it doesn't go away it just recharges it. Lawrence also asked about the fire and wanted more clarification on it. Supervisor said it is a 3-year contract, 2 % increase a year and self-insurance.

Linda Limina-asked about a summary page in the front of the budget. The board may not need it but for the public to see things in total. She gave the Supervisor a copy of what the village does. It might give the taxpayers an understanding of the totals. Supervisor line-Personnel line is up 9.5%. She wanted to know why that was up. Supervisor said it was from Miranda pay raise last summer. The board voted to give her a raise. Medical Insurance-Why is it being increased by 28,000. said the rates went up and they also have to consider any injuries, also we pay for the Medicare for the retirees but we have an injured employee so that is going to go up next year. Linda asked if we shop out our health insurance. Miranda said we have to but its under 100 employees so there is no shopping you get a certain

amount so you have to go with the cheapest plan. They do look at other plans but have to go with what the Union contract says as they are bound by the union contract and have to go what they say.

Karen Jones-There should not be a vote tonight as it wasn't properly done. It was announced at a meeting with a resolution but there was no notice in the paper.

Supervisor said we don't have to put a notice in the paper as long as we notify the paper. She had concerns over the attorney increase from 100,000-150,000. She also had concerns about Borrego being one of the reasons for the increase. Store room- Office supplies should not cost 11,000. She is asking the board to not vote on this tonight. There are different ways to present a budget to the town. She brought a copy of the Town of Yates preliminary budget to give the clerk.

Orleans County programs EDA-curious to the huge jump. Miranda said its because of things they have to pay them if a business wants to come in like Pride Pak or Takeform. We negotiate and also get the tax benefits from them. Karen asked if we would do it every year and Miranda said no. She said business don't come in every year. She said you have to think ahead because you never know. What we don't pay we put towards our fund budget balance for the next year. That takes money off your taxes. Karen said that did not make any sense to her.

Supervisor said there are projects that you have to signs a non-disclosure agreement, that's all he could say about that. Karen said maybe somebody else can ask question better than her because she still really doesn't know how it can go from that much to 10,000. Supervisor said that's what they had in the budget for the last couple of years. Supervisor said 2500 was what was spent and each year had the same. Karen also had questions about the insurance going to 98,500 and when people ask it would be nice for some sort of documentation to show why it jumped up so much. Maybe shared services with the insurance with towns and village to use the same insurance company with 100 employees to get cost down. Miranda said you can't do that with the CSEA contract. Karen said she is thinking flexibility in the future would be something to think about. She said the budget is very tricky. Its hard to see what one employee makes. Under Planning- needed clarification. Supervisor said it was payroll for planning. Karen said that's where this is the trickiest. She said payroll is in different spots. In the organizational minutes of 2023, it looks like people are given different titles along with their regular job and she imagines that means they got paid more. She can't find in this budget what a certain employee makes. It seems like it is spread out in a lot of places. She had a question about appropriations for the highway about snow removal and transportation total. She appreciates Mr. Roots perspective that you have to make sure to account for a machinery issue or a truck that needs to be repaired as well as cost of salt and things like that. Why would that money be listed under machinery and equipment then instead of snow removal. Dale said he

has two budgets to choose from, summertime and winter time. Contractual is supplies needs that he needs to go through in parts and personnel is his people that work x amount of hours with overtime cost that he can never control so contractual is items it is like salt, diesel, parts whatever needs to be purchased to get through the winter. Personnel is the budget line he used to pay the men through the winter until roughly April and then he goes to the General and it's the same set up where there is contractual where he needs to buy lawn mower blades, tractor tires. Under machinery would be not so much for trucks as it would be for repairs. Water District information is difficult to try to make sense of and I know I'm not the only one with questions about water and how that's all figured out. She hopes the board considers all of the questions and ask them yourselves as voting members and finally that she requests the board set aside voting on the budget until there has been time to investigate yourselves some of these questions.

Jada Burgess-had question about the EDA amount. Village residents are already paying this through the village tax so isn't that something that should be moved to the outside townwide. We are paying 2500 so she is thinking it would be a double taxation because we are already paying it.

Marguerite Sherman- liaison for the Town of Shelby from the Village of Medina.

She just wanted to add on what Jada said about the EDA since you're checking into that. The village never gets another charge from the EDA when something comes in so they budget 2500 to the EDA and that's how much they spend. Its never more than what was budgeted for and what they have asked, so it kind of surprises her the 10,000 they would charge you in case of businesses come in.

Looking at the townwide taxes because that is what the village of Medina residents have to pay. Under buildings 175,000, wondering what expenses are included in that. Supervisor asked if that was all the town buildings. Miranda said that is all the bills we pay, building, National Grid. Marguerite said so it's this building, highway and it adds up to 175,000. Miranda-last year we had our fire and we had to pay for the wiring, panel boxes, now we have to pay for a generator coming up, there was a lot. Marguerite said so that is added into the projections for this year of things we may possibly have to pay for correct. Miranda said correct. Marguerite said they are looking into things that the village is required to pay for the town and they have gone to NICOM and was saying the village residents would not have to pay for the town highway garage, town highway repair and improvements so if that's included in that 175,000, she is wondering if part of that or maybe all of that should not be included in what the village is being taxed on. She said they have a call into NICOM to double check on that but would hope they would do that also. They just want to make sure the village residents are not double taxed on things they shouldn't be taxed on.

Lawrence Waters- Share of Sales County tax-wondering if it is a line item in the budget. Service charge line on the water bills- is that a budget line item? Where does the service charge go? Are we accounting for it? Is it in a separate account? Is it held aside? Dale-Basically all he can do is assume it goes back into that water district fund because each district has its own service charge. Lawrence had asked back in February that it be moved to the tax roll and have not heard a good explanation of where that money is-what its used for, where it sits, is it an interest-bearing account? He is just not on board with it and feels like paying that bill short until he gets a proper answer. He also asked about the software used to produce the budget, hopefully its not the same software that's used for the supervisor report. Supervisor said it was. Lawrence was concerned there could be potential glitches in it. Supervisor said they have made lots of progress on that.

Karen Jones-Had a question about the deputy clerk position and the salary associated with it. Supervisor had remarked that the 10,000 was added to Darlene Rich's salary because she was at the time doing the job of the deputy clerk and I don't think that is correct. I think that it was plain and simply a raise much like the supervisor and highway Supt. received raises perhaps there had not been raises in a very long time for many of those positions. Her concern is with the resignation of the deputy clerk that Mrs. Rich is doing the job of two positions and she doesn't know if she is being compensated for it or if it's been added to the budget in that way. She knows that Miranda said you can't change the budget if it's been voted on but it hasn't been voted on. It was a preliminary budget and a preliminary budget what you voted on was to have a public hearing not the budget you haven't voted for the budget yet. In any case, she hopes that, and again she doesn't know how to read the reports correctly. She doesn't know where to find a salary or if somebody is taking on the position of another person along with their own, she assumes they are putting in more time and more stress. She hopes it is accounted for in the budget. Supervisor said she does have a temporary clerk with her that works part time with her now and she's been trying to hire a full-time deputy clerk that is in the budget. need hire someone so it's bringing them on board. Karen said hopefully when you're training somebody else and again putting in more time are compensated for it. She also asked about water and she doesn't know if it's in the budget or if she should bring it up at the meeting but the question about funds and how they are dispersed and payments that should have since she believes 2014 paid to the Village of Medina, that haven't been and she doesn't know but it seems to her that they have been paying a lot of money to sit in an account for money that we knew was owed and it should be somewhere in that budget of money that is sitting that has not yet been dispersed when I know its been collected because we pay it. Her most recent quarterly bill was \$240-pretty high. A family of four but still it's also odd to her that the more water they use the bigger the bill, when other

places its opposite which again is problematic, and is a budget question but again she doesn't know how to read those sheets. Supervisor said he is working on the water question. Karen said she appreciates that but she hopes it is done properly and legally considering memorandums of agreements we might already have on existing infrastructure versus infrastructure that would have to be built from scratch.

Dale Root, Highway Supt-Clarified in four years that he has been here he has not asked for a raise and has not received a raise. Water-we do not get a discount on volume. Karen said that is not what the bill is about. Dale said the town does not get a volume discount so we cannot give a volume discount. There was a markup in 2019 to protect our infrastructure. January 1, 2020 it is pretty close to doubled what we have to pay.

Darlene Rich, Town Clerk-Clarified Jeff Smith previous Supervisor told Scott, Supervisor that I received a \$10,000 raise in the one year. That is not true! I did receive \$6000. It was a 3000 stipend for tax collection and 3,000 raise to do the work of the deputy that left. I had several years with no raise because I was an elected official. I never received a 10,000 raise!

Sharlene Pratt- question about the fire insurance that was on the budget. Doesn't the fire insurance cover for the fire that was in the building? Curious why the fire insurance did not cover the fire in the building. Miranda-we have fire insurance but had to pay for everything upfront to get the building up and running and then they got reimbursed. But they had to fight because it took a few years to get it unfortunately a lot of parts were not available during Covid and the insurance did not want to pay for it because it went over a certain amount of time so we had to go back and fight for that money to get reimbursed for it.

Kathy Bennett said they are going to adjourn and she is going to ask the town board members to go back in the meeting room so she can provide them with legal advice and then they will come back out and report to this group. She asked Linda to join them as a board member elect for the legal advice session. Kathleen said it was not executive because it is legal advice. Board adjourned to obtain legal advice of town which is an exception to the open meetings law because the attorney client privilege is provided by state and federal law and that's an exception to the open meetings law requirement. Adjourn at 7:16 PM. The board returned at 7:37PM.

Kathleen Bennett said what they attempted to do last Thursday was to keep the public hearing opened and address a miscommunication with the notice by trying to get a notice out last week so it was 5 days before tonight unfortunately that didn't happen and that's fine. The problem at this point is that there is no way to put a notice in the Penny saver and have that notice appear 5 days before a public hearing and adopt a budget by Nov. 20th which is required by state law. So, what the board has decided after advice and discussion from legal counsel is that what

we will do is adjourn the public hearing until next Monday and there will be a notice put on the town website and posted and that notice will be placed on the website tonight and that will be 5 days before next Monday when the public hearing will be reconvened and then the town board can act or not act on the budget after that public hearing next Monday. Karen Jones asked if it could also be posted on the towns facebook page as well as the website. Public hearing will be Monday November 20th at 7 PM.

Motion to adjourn-Councilman Seitz, second Councilman Schiffer

Ayes-4

Excused-Zelazny

After no other comments the public hearing was closed at 7:38 PM

Respectfully submitted,

Darlene A. Rich, MMC, RMC

Town Clerk